IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 11911 of 2004

Between:

Smt Sirigine di Rajyalakshmi, W/o Ramakrishna,
R/o Rajala Agraharam, H/o Koppukondapalem, Rambilli Mandal,
Visakhapatnam District

..... PETITIONER

AND

1 The Mandal Revenue Officer, Rambilli (PO) and (M),
Visakhapatnam District
2 The Revenue Divisional Officer, Narsipatnam, Visakhapatnam

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction in the nature of Mandamus declaring the inaction of the 1st respondent in not issuing title deed under Section 6-A of A.P.Rights in Land and Pattadar Pass Book Act, 1971 and Rule-7 of A.P.Rights in Land and Pattadar Pass Book Rules, 1989 in Form XIV-A in respect of Ac.4.48 cents dry in Sy.No.436/3 of Rajala Agraharam, Hamlet of Koppukondapalem, Rambilli Mandal, Visakhapatnam District, in favour of the petitioner as being illegal, unjust, arbitrary

and violative of Act 26 of 1971 and the rules made thereunder and Art.14 of the constitution of India.

Counsel for the Petitioner : Mr.E.V.BHAGIRATHA RAO

Counsel for the Respondents : G.P. FOR REVENUE

The Court at the admission, made the following :

ORDER :

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue, and both of them agreed for disposal of the writ petition finally at the stage of admission.

Assailing the action of the first respondent in not issuing the title deed in respect of Ac.4-48 cents of land in survey No.436/3 of Rajala Agraharam, Hamlet of Koppukondapalem, Rambilli Mandal, Visakhapatnam District, the present writ petition is filed.

The petitioner claims to be owner of the land in question having acquired the same by virtue of a registered gift deed executed by her mother viz. Appayamma in the year 2003. According to the petitioner, for issuance of pattadar pass book and title deed in respect of the land in question, she made an application under Section 6-A of A.P. Rights in Land and Pattedar Passbook Act, 1971 by paying requisite fee, to the first respondent-Mandal Revenue Officer, who after enquiry issued pattadar pass book only, but failed to issue title deed. There upon, she made an application to the District Collector, Visakhapatnam on
28-6-2004 for issuance of title deed, but no action has been taken in the matter. Hence, the writ petition.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition in the following terms.

The petitioner is at liberty to file an application before the first respondent-Mandal Revenue Officer, Rambilli Mandal, Visakhapatnam District, for issuance of title

deeds in respect of the land in question, and upon receiving such an application, the first respondent-Mandal Revenue Officer, after considering the same in accordance with law, shall issue title deeds, if the petitioner is entitled for the same, and if there is any objection regarding issuance of title deeds, he shall pass speaking order in respect thereof. No costs.

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N.V.RAMANA,J

13th July 2004.

DA/SVV

To

1 The Mandal Revenue Officer, Rambilli (PO) and (M), Visakhapatnam District
2 The Revenue Divisional Officer, Narsipatnam, Visakhapatnam

District.

3 2 CCs to the G.P. for Revenue, High Court of A.P. Hyd. (OUT).

4 2 CD copies.